

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ANTHONY T. STALEY

Plaintiff,

23-cv-3546 (JPC) (VF)

-against-

HELEN SMART, et al,

Defendants.

ORDER

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VALERIE FIGUEREDO, United States Magistrate Judge

As stated at the conference on January 9, 2024, Defendants’ motion to stay discovery pending the disposition of their motion to dismiss (ECF No. 45) is **GRANTED**.

Additionally, for the reasons discussed at the conference, Plaintiff’s motion at ECF No. 42 is resolved. With respect to Plaintiff’s personal property confiscated during his arrest (specifically, keys), the keys are in the possession of the New York City Police Department (“NYPD”). The New York City Transit Authority (the “MTA”) has identified which of the seized keys are not its property and can therefore be returned to Plaintiff by the NYPD. Further, at the conference, counsel for the MTA volunteered to contact the NYPD to facilitate Plaintiff’s retrieval of his property. And with respect to the flyers, Defendants confirmed at the conference that since June 2023, the flyers have referred to Plaintiff as a “retired” employee, rather than a “terminated” employee. The flyers are not publicly disseminated; they are displayed within transit booths at subway stations.

The Clerk of Court is respectfully directed to terminate the motion at ECF No. 42.

SO ORDERED.

DATED: New York, New York
January 10, 2024

A handwritten signature in black ink, appearing to read 'Valerie Figueredo', written over a horizontal line.

VALERIE FIGUEREDO
United States Magistrate Judge